

it was said "Clause 17 governs those cases where the United States acquires lands with the consent of the legislature of the State for the purposes there described. If lands are otherwise acquired, and jurisdiction is ceded by the State to the United States, the terms of the cession, to the extent that they may lawfully be prescribed, that is, consistently with the carrying out of the purpose of the acquisition, determine the extent of the Federal jurisdiction." This principle was recognized in a later decision of the Supreme Court of the United States³⁰ in which the issue involved was the right of the State of California to enforce the State Beverage Control Act within Yosemite National Park. The State of California had expressly ceded to the United States exclusive jurisdiction over the park area. However, it urged "the constitutional inability of the National Government to accept exclusive jurisdiction of any land for purposes other than those specified in Clause 17, Section 8, Article I of the Constitution." The Court did not agree with the contention and recognized the right of the United States to exercise exclusive jurisdiction within the park area. The Court commented that Clause 17 "is not the sole authority for the acquisition of jurisdiction. There is no question about the power of the United States to exercise jurisdiction secured by cession, though this is not provided for by Clause 17." And in a more recent case³¹ the Supreme Court of the United States held that lands acquired by the United States for a national park are acquired for a "constitutional" purpose, and that the United States had acquired exclusive jurisdiction over Chickamauga and Chattanooga National Park under a Georgia statute expressly ceding to the United States exclusive jurisdiction over lands acquired within that State for certain purposes expressly named "or for any other purposes of government."

CHAPTER VI

CONCURRENT OR PARTIAL JURISDICTION—POWERS RESERVED TO THE STATES

39. Reservation by State of administrative powers.—Much has been said in preceding chapters concerning the "exclusive jurisdiction" of the United States over lands acquired within the several States. The present chapter will discuss situations wherein a State has surrendered to the Federal Government only partial or concurrent jurisdiction within such areas. Such limited jurisdiction is usually relinquished by statutes which, although consenting to the purchase of lands by the United States or ceding

³⁰ *Collins v. Yosemite Park Co.*, 304 U. S. 518, 528, 529, 58 S. Ct. 1009.

³¹ *Bowen v. Johnston*, 306 U. S. 19, 29, 59 S. Ct. 442.